

who are facing that levy problem this year so they, when they come into their budget time which is this season right now and for their setting of budgets and levies throughout the summer and early fall, that they will have this in effect and they can plan on it. With that I think the emergency clause is probably very appropriate at this point. Again, thank you, Senator Johnson, for allowing this to be brought back and I would urge the adoption of the emergency clause. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Wesely.

SENATOR WESELY: Thank you, Madam President, members, I wasn't here when the amendment was adopted in the first place. I guess I'd ask Senator Kristensen to back up a little bit and how is it possible that under the Constitution we would be able to distinguish that this levy would not be included under that provision, and is it possible to take the action with other elements in the county budgets?

SENATOR KRISTENSEN: Senator Wesely, the provision in the Constitution that was put in many years ago never defined what sorts of things counted towards the levy limitation. I've had a bill in for the last couple of years dealing with specific things such as museums, the airports and so on, things that were not the counties actual budget, in other words, those budget items which the county board did not hold a hearing for themselves, but that the individual boards such as the county medical facility, they would have a hospital board. For those county hospitals, they set their budget. They could come in with their levy request if they chose to do so. Now many of them operate on their own, but as times get tougher in those county hospital areas, their need for county levies are going to begin to increase and you have counties up against the 50 cent levy limitation. The bills that we've had in have been ministerial in duty. The Revenue Committee saw fit to say, well, we're not going to make it that broad, we're just going to focus on county medical facilities and so this is the Revenue Committee amendment that I took from them for my bill, LB 65, this year and put it on to LB 798. It's in terms of a definitional discussion about what should count towards the levy limit. There is an AG's opinion that says that County Ag Societies do not count against that levy limitation because they are removed for other reasons, so I think there is some precedent for doing so.